



**Written Testimony of Representative Garey Bies
Assembly Committee on Criminal Justice and Corrections
Assembly Bill 217 – Impersonating a Public Safety Officer**

Good morning fellow Committee members. I appreciate the opportunity to submit my testimony in support of Assembly Bill 217, relating to impersonating public safety officers.

As a former law enforcement officer myself, I can speak directly to the importance we place on the oaths we take to ensure the public's safety. When citizens call upon our aid, it is because they find themselves in a situation that may have dire consequences. When we arrive on the scene, we are trusted to serve and protect. We do not take that trust lightly.

When an individual impersonates a law enforcement officer, they violate that trust the people have placed in us. This is a serious offense and is worthy of the significant penalties under current law. For impersonating a law enforcement officer a person is guilty of a misdemeanor offense subject to a fine of up to \$10,000 and imprisonment of no more than 9 months or both. A person who impersonates a law enforcement officer in the commission of a crime is guilty of a felony with a fine of up to \$10,000 and imprisonment of up to 6 years or both.

Assembly Bill 217 extends these penalties to individuals impersonating fire fighters, emergency technicians or first responders. These individuals too receive the public trust, a trust that is sacred and if violated, significant damage can result.

I have authored Assembly Bill 217 at the request of the Wisconsin State Firefighter's Association and am proud to do so.

To illustrate the need for this legislation, recent incidents involving the impersonation of a firefighter include this past spring in Waterloo, Wisconsin, this past February in Pecatonica, Wisconsin, and this past May in Hartford, Wisconsin. In addition, last year a Wisconsin man impersonated a firefighter to scam 21 Wal-Marts all over the state of Michigan. These are just a sample of recent cases and are clear evidence for the need of this legislation.

Thank you for this opportunity to testify in support of Assembly Bill 217. I would be happy to answer any questions you may have.

First for Wisconsin!

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DATE: September 22, 2011
TO: Assembly Committee on Criminal Justice and Corrections
FROM: Wisconsin State Fire Chiefs Association
RE: Assembly Bill 217

Fire departments and emergency medical services in Wisconsin have no laws to keep impersonators of firefighters and emergency medical technicians away from emergency scenes. There are laws against impersonating a law enforcement officer, which can be used to arrest and prosecute those that impersonate law enforcement officers. Assembly Bill 217 would provide the same provisions for impersonating a firefighter and an emergency medical technician.

There are many incidents of persons impersonating firefighters and emergency medical technicians where the person has been caught on the scene but the police officer reports that there is no law to charge the impersonator. These impersonators often operate from a scanner and occasionally arrive on the scene of an emergency prior to the arrival of the fire department or ambulance. With little to no training these impersonators can seriously harm a patient by rendering inappropriate care and in the case of a fire cause more damage to the property with in appropriate actions. The public is at risk with impersonators operating freely with no law to restrict their actions.

The Wisconsin State Fire Chiefs Association asks that the committee support Assembly Bill 217. If you have questions please contact Dave Bloom, Legislative Liaison, Wisconsin State Fire Chiefs Association at 608-444-3324.

Fire Engineering

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Arson suspect caught garbed as firefighter; Katy resident arrested in 2nd Bush Park blaze;

A Katy man now considered a "person of interest" in one of two blazes that broke out at George Bush Park was posing as a member of the Houston Fire Department at the fire, officials said Friday.

Lonnie Ray Henderson, 28, was charged with felony impersonating a public servant after firefighters and Harris County deputy constables spotted him riding an all-terrain vehicle in the fire zone.

"He was driving around by himself and saying that he called in the fire," said HFD Fire Marshal Richard Galvan.

Henderson also was wearing HFD bunker gear - a firefighter's heavy overcoat, boots and helmet.

"It was the full ensemble," Galvan said.

The gear came from HFD, although Henderson has no record of ever having been with the department.

HFD officials said they were investigating how Henderson got the equipment but said there have been reports of bunker gear thefts.

"And we don't loan out our bunker gear," Galvan said.

Henderson had been a volunteer with the West I-10 Fire Department. He has not been with the volunteer organization for more than a year, said an official who couldn't comment further citing the investigation.

The suspicious blaze erupted about 11:45 p.m. Thursday in the northern section of the park along the 15800 block of Interstate 10. The fire charred about 27 acres before fighters were able to bring it under control.

HFD officials said Henderson's actions also aroused suspicions. Their firefighters do not ride all-terrain vehicles by themselves at a fire scene.

"You're in a crew of four and there's always a back-up," Galvan said.

Officials got nowhere when they asked Henderson what he was doing at the fire.

"He refused to answer any questions that our investigators had for him and he requested to go home," Galvan said.

Harris County prosecutors charged him Friday with impersonating a public servant.

The fire came hours after firefighters gained control of another blaze in the park that scorched about 1,500 acres. That fire broke out about 3 p.m. Tuesday in the 16700 block of Westheimer Parkway and raged for a few days.

HFD arson investigators said they have not ruled Henderson out as having any responsibility in the earlier fire.

The cause of both fires still remain under investigation, Galvan said.


Henderson has a criminal record in Harris County, including a 2008 arrest for theft. He admitted guilt in exchange for probation, which he completed in May.

In 2010, Henderson pleaded guilty to misdemeanor driving while intoxicated and was sentenced to a fine a 30 days in county jail.

Dale Lezon, Andrew Richardson and Lindsay Wise contributed to this report.

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